IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9772 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PANCHABHAI BALABHAI BHARAI

Versus

MAMLATDAR

Appearance:

MR KETAN SHAH FOR MR TUSHAR MEHTA for Petitioners

MR MA BUKHARI for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 29/06/2000

ORAL JUDGEMENT

#. Mr.Shah submits that this matter is squarely covered by decision of this court in special civil application No.8065 of 1998 decided on 10th May 2000.

#. The learned counsel for the respondent does not dispute this position except to say that against that judgment, L.P.A. has been filed and stay has been

granted.

#. Merely filing of L.P.A. and grant of stay does not mean that the judgment of the Single Judge has been reversed or set aside. When the matter is squarely covered it has to be decided accordingly as this order of this court is also appealable.

#. In the result, this special civil application is allowed and the prayer made in sub-paragraph (A) of paragraph-6 of the special civil application is granted. Rule is made absolute. However, in the facts of the case, no order as to costs.

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(sunil)